Single Bench (1)

(5)

CF/002

IN THE HIGH COURT OF JUDICATURE , AT - BILASPUR [C.G.]

WRIT PETITION No.6453 /2006

PETITIONER

P.R. No. 61 Sub/06
Presented by Shri Pavitra Vaswani
dated 6/11/06

Tapash Kumar Biswash,aged about 46 years S/O Sri HN Biswas Posted as-Office Asstt.-3, CHC-Bilha, Bilaspur-Division,Distt.- Bilaspur,CG.

VERSUS

RESPONDENTS :

1. State of CG Through Secretary,Deptt.of Health and Family Welfare,DKS Bhawan,Raipur [CG]
2. Director, Directorate Health Services,Chhattisgarh Raipur [CG]
3. Chief Medical and Health Officer, Bilaspur-Division at Bilaspur, Distt.- Bilaspur [CG]
4. Madhuri lata Shukla Office Asstt.Gr.III Directorate Health Services,C.G. Raipur,CG.

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WRIT PETITION U/ A – 226 & 227 OF CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ....WP(S) 6453/2006.... **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक अग्रदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

30-11-2006

Shri Ravish Verma, counsel for the petitioner.

Shri Satish Gupta, Dy. Govt. Advocate for the State/respondents No.1 to 3.

None for respondent No.4.

Heard.

State Government vide general transfer order dated 7-7-2006 (Annexure-P/1) posted the petitioner from Bilaspur to Jashpur.

Petitioner's contention is that he is being transferred frequently from one place to other. Earlier he was transferred vide order dated 11-8-2003 (Annexure-P/2) and posted to Bilha. Later on, without being transferred, his services were utilized at Bilaspur. Now vide impugned order he has been posted to Jashpur. Frequent transfer is not a ground for interfering with the orders passed by the Government. Even otherwise petitioner's case does not cover under such an allegation.

Learned counsel for the petitioner further contended that petitioner's wife is in Government service and is posted at Thakatpur, therefore, husband and wife should have been posted at one place or nearby areas. Petitioner was posted at Bilha and his wife at other place and they were separately serving; therefore, now when he has been transferred to Jashpur, he cannot take shelter of such a plea. Even otherwise it is not a hard and fast rule to keep husband and wife at one place.

Petitioner's further contention is that his wife is ill and at Jashpur she cannot be given proper treatment. This is a lame excuse because petitioner's wife who is posted at Thakatpur has not been disturbed.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ...WP(S) 6453/2006... **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Gowri	Petitioner's last contention is that in order to accommodate Smt. Madhuri Lata Shukla, he has been transferred from Bilaspur. Smt. Shukla has joined her duties on allocation from Madhya Pradesh to Chhattisgarh vide order dated 12-4-2006, therefore, it was obligatory on the part of Government to post her anywhere. Accordingly, if she was posted to Bilaspur in place of petitioner that cannot be graded as *mala fide*. In my view, there is no substantial material available to interfere with the administrative order passed by the Government, therefore, the petition is liable to be dismissed summarily and is accordingly dismissed *in limine*. Consequently, M.(W.).P.No.4735 of 2006 stands disposed of. **Sd/-** **V.K.Shrivastava** **Judge**	

(पीछे देखिये)